

154 FERC ¶ 61,093
FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, DC 20426

February 10, 2016

In Reply Refer To:
Trans Bay Cable LLC
Docket No. ER16-555-000

Trans Bay Cable LLC
One Letterman Drive
Building C – 5th Floor
San Francisco, California 94129

Attention: Lenneal K. Gardner

Dear Lenneal K. Gardner:

1. On December 17, 2015, Trans Bay Cable LLC (Trans Bay) filed revisions to Appendix I of its Transmission Owner Tariff (TO Tariff) to reflect the annual update of its Transmission Revenue Balancing Account Adjustment (TRBAA). As discussed below, we accept the proposed TO Tariff revisions for filing, effective January 1, 2016, as requested.
2. The TRBAA is a mechanism set forth in section 5.5 of Trans Bay's TO Tariff that ensures all transmission revenue credits and adjustments associated with any over- or under-recovery of its transmission revenue requirement flow through to its transmission customers. Trans Bay states that it calculates its TRBAA to become effective January 1 of each year based on the balance in the Transmission Revenue Balancing Account on September 30 of the prior year, the forecast of transmission revenue credits for the following year,¹ and interest based on the average Transmission Revenue Balancing Account balance each month compounded quarterly, consistent with section 8.1 of

¹ Trans Bay states that it has not received nor expects to receive transmission revenue credits from CAISO for 2015. Trans Bay December 17 Filing, Prepared Direct Testimony of Donna K. Burke at 11 (Burke Test.).

Appendix F, Schedule 3 of the California Independent System Operator Corporation's (CAISO) transmission tariff (CAISO Tariff).²

3. In the instant filing, Trans Bay proposes to revise its negative \$1,050,676 TRBAA to negative \$3,159,405,³ with a currently effective base transmission revenue requirement of \$131.134 million.⁴ The revised TRBAA is derived from the sum of Trans Bay's revised TRBAA for high voltage transmission access charges of negative \$2,966,075 and its revised TRBAA for low voltage transmission access charges of negative \$193,330.⁵ Trans Bay requests waiver of the Commission's 60-day prior notice requirement to allow the revised TRBAA to become effective on January 1, 2016.⁶

4. Notice of Trans Bay's filing was published in the *Federal Register*, 80 Fed. Reg. 80,351 (2015), with interventions and protests due on or before January 7, 2016. Timely motions to intervene were filed by the California Department of Water Resources State Water Project and Pacific Gas and Electric Company. A timely motion to intervene and comments were filed by the Cities of Anaheim, Azusa, Banning, Colton, Pasadena, and Riverside, California (Six Cities). On January 21, 2016, Trans Bay filed an answer to Six Cities' comments.

5. Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.214 (2015), the timely, unopposed motions to intervene serve to make the entities that filed them parties to this proceeding.

6. Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 385.213(a)(2) (2015), prohibits an answer to a protest unless otherwise ordered by the decisional authority. We will accept Trans Bay's answer because it has provided information that assisted us in our decision-making process.

7. Six Cities states that it is unable to determine whether Trans Bay received funds from CAISO associated with non-refundable financial security and study deposits forfeited by interconnection customers. Six Cities explains that, pursuant to section 7.6 of Appendix DD to the CAISO Tariff, forfeited funds not used to offset certain network

² Burke Test. at 4.

³ *Id.* at 11.

⁴ *Id.* at 6 (citing *Trans Bay Cable, LLC*, 149 FERC ¶ 61,081 (2014)).

⁵ *Id.* at 8, 10.

⁶ Trans Bay December 17 Filing at 2-3.

upgrades are distributed to participating transmission owners, such as Trans Bay, and used to offset transmission rates as a credit to ratepayers through the transmission owners' Transmission Revenue Balancing Accounts.⁷ Thus, Six Cities requests that the Commission require Trans Bay to clarify whether it received a portion of the forfeited funds from CAISO and, if so, whether Trans Bay included those funds as a credit to ratepayers in its TRBAA.

8. In response to Six Cities, Trans Bay states that, in October 2015, it received \$1,733,201.71 from CAISO as its portion of the forfeited funds.⁸ Trans Bay asserts that it properly included these funds as a credit to ratepayers in its calculation of the TRBAA in lines 5 and 9 of Exhibits DKB-2 and DKB-3 of the instant filing.⁹ Trans Bay adds that it contacted Six Cities' representatives concerning this matter and is authorized to represent that Six Cities has no further comments on this issue.¹⁰

9. We find that Trans Bay's revised TRBAA is in accordance with the relevant portions of the CAISO Tariff and Trans Bay TO Tariff and is, therefore, just and reasonable. Thus, we grant waiver of the Commission's prior notice requirement and accept Trans Bay's revised TO Tariff revisions for filing, effective January 1, 2016, as requested.¹¹

By direction of the Commission.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

⁷ Six Cities January 7 Comments at 2 (citing CAISO Tariff, Appendix DD, § 7.6).

⁸ Trans Bay January 21 Answer at 2.

⁹ *Id.* at 2-3.

¹⁰ *Id.* at 3.

¹¹ See *Cent. Hudson Gas & Elec. Corp.*, 60 FERC ¶ 61,106, at 61,338, *order on reh'g*, 61 FERC ¶ 61,089 (1992) (explaining that waiver of the prior notice requirement generally is appropriate where the rate change and effective date are prescribed by a contract on file at the Commission).